

form of discrete particles and some may be in the form of a co-continuous phase with the thermoplastic material.

RESTRICTION REQUIREMENT

In the Office Action mailed September 8, 2005, the Examiner has required restriction and election of one of the following two groups of claims:

- I. Claims 1-12 and 18-26, drawn to a seal, classified in class 277, subclass 560.
- II. Claims 13-17, drawn to a method of making a seal, classified in class 526, subclass 242.

Applicants elect Group I (Claims 1-12 and 18-26) with traverse.

The Examiner alleges that the inventions of the two groups are distinct for the reason that the method of making a seal as claimed can be used to make other and materially different products. Additionally, the Examiner states that the seal of the invention can be made by a materially different process, such as machining or coining, etc.

Applicants respectfully submit that the Examiner has not, beyond stating a conclusion, demonstrated how the invention of Groups I and II are distinct. Specifically, Claims 13-15 in Group II are dependent on Claim 1 in Group I. By definition, these claims include all of the limitations of the independent claim incorporated by reference into them, and therefore the processes of these claims could not be used to make an item other than a seal.

Furthermore, M.P.E.P. § 803 requires that inventions be examined together, even if they are patentably distinct, if to do so would not place an undue burden in examination. Applicants respectfully submit that the same search would be required to find art related to the invention of both Groups I and II, as both relate to dynamic seals. Consequently, Applicants respectfully request that the requirement for restriction be withdrawn and the two inventions be searched together.

ELECTION OF SPECIES

The Examiner has required election of a single disclosed species from Figures 1a/b to 5a/b. Applicants elect the species of Figures 1a and 1b. Claims reading on this species are, in various embodiments, Claims 1-20 and 23-26.

CONCLUSION

Applicants believe a complete and responsive reply to the restriction and election of species has been made. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (734) 354-5445.

Respectfully submitted,

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